

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 624

House Bill No. 430*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 37-1-102(b)(5), is amended by adding the following new subdivision (b)(5)(C) and redesignating the current subdivision (b)(5)(C) and subsequent subdivisions accordingly:

(C) A person under twenty-four (24) years of age for the limited purpose of remaining under the jurisdiction of the juvenile court while serving a sentence as a serious youthful offender pursuant to § 37-1-131(a)(9);

SECTION 2. Tennessee Code Annotated, Section 37-1-131(a), is amended by adding the following new subdivision:

(9)

(A) The court may classify a child sixteen (16) years of age or older as a serious youthful offender if the child is adjudicated delinquent for:

(i) An act that would be a Class A felony if committed by an adult;

(ii) An act that would be a Class B felony if committed by an adult and the child has two (2) or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult; or

(iii) An act that would be a Class C felony if committed by an adult and the child has three (3) or more previous adjudications of delinquency for acts that would be Class A, B, or C felonies if committed by an adult;



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(B) The court may impose any of the dispositions set forth in this section upon a juvenile classified as a serious youthful offender, including, but not limited to, a determinate commitment to the custody of the department of children's services that lasts until the serious youthful offender's nineteenth birthday. If the court imposes a determinate commitment for the serious youthful offender, then the time credits set forth in § 37-1-137(h) do not apply to shorten the time of a serious youthful offender's determinate commitment imposed pursuant to this subdivision (a)(9);

(C) The court may impose an additional sentence to be served after the serious youthful offender turns nineteen (19) years of age, which ends on or before the offender's twenty-fourth birthday. If imposed, the additional sentence beyond the serious youthful offender's nineteenth birthday must extend for at least:

(i) Four (4) years if the child is adjudicated delinquent for an act that would be a Class A felony if committed by an adult;

(ii) Three (3) years if the child is adjudicated delinquent for an act that would be a Class B felony if committed by an adult; or

(iii) One (1) year if the child is adjudicated delinquent for an act that would be a Class C felony if committed by an adult;

(D) The court has the authority to set aside the additional sentence imposed pursuant to subdivision (a)(9)(C). The court shall conduct a hearing within four (4) months of the serious youthful offender's nineteenth birthday to review the offender's circumstances and determine whether the additional sentence should be set aside. In making this determination, the court shall consider whether the serious youthful offender has:

(i) Committed another delinquent act;

(ii) Engaged in other conduct that creates a substantial safety risk;

(iii) Failed to meet the conditions of supervision during the determinate disposition prior to the hearing;

(iv) Attended school regularly with passing grades or graduated from high school;

(v) Obtained regular employment, if the offender has graduated from high school; and

(vi) Become involved in activities that are beneficial to the community;

(E) If the court imposes an additional sentence beyond a serious youthful offender's nineteenth birthday, then the court shall enter an order on or before the offender's nineteenth birthday committing the offender to the custody of the department of correction to serve the additional sentence imposed by the juvenile court. Under no circumstances shall the serious youthful offender remain in the custody of the department of children's services beyond the offender's nineteenth birthday; and

(F) The court shall make or cause to be made an audio recording of a hearing conducted pursuant to this subdivision (a)(9). The recording must include all proceedings in open court and such other proceedings as the judge may direct and must be preserved as part of the record of the hearing.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to acts committed on or after that date.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 877*

House Bill No. 1520

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-102(b)(5), is amended by adding the following new subdivision (b)(5)(C) and redesignating the current subdivision (b)(5)(C) and subsequent subdivisions accordingly:

(C) A person under twenty-five (25) years of age for the limited purpose of participating in the pilot program established by § 37-1-131(a)(9);

SECTION 2. Tennessee Code Annotated, Section 37-1-102(b)(5), is amended by adding the following language as a new subdivision:

(H) Notwithstanding this subdivision (b)(5), the court may retain post dispositional jurisdiction pursuant to § 37-1-131(a)(9) for a child found delinquent under § 37-1-131;

SECTION 3. Tennessee Code Annotated, Section 37-1-131(a), is amended by adding the following as a new subdivision:

(9)

(A) If, pursuant to § 37-1-134(c)(2), a child is found delinquent or pleads guilty to an offense listed in § 37-1-134(a)(1), the court may retain jurisdiction over the child until the child's twenty-fifth birthday and order the child to participate in the pilot program established by this subdivision (a)(9). Under the pilot program, the court may impose a sentence upon the child that could be imposed if the offense was committed by an adult, but may not commit the child to the custody of the department of children's services or place the child on



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probation under the supervision of the department of children's services. Any portion of the disposition imposed that extends prior to the child's twenty-fifth birthday must be stayed pending completion of requirements set forth by the court at the time of disposition;

(B)

(i) At any time prior to the child's twenty-fifth birthday, a petition may be filed requesting the court find that the child has completed all requirements under the original disposition order and that the child be placed or released in a manner consistent with subdivision (a)(9)(C)(i) or (ii);

(ii) The request must:

(a) Be made before the judge, or the judge's successor, of the juvenile court in which the original commitment occurred;

(b) State the reason for recommending the placement or release; and

(c) Make specific recommendations with respect to the child's placement;

(iii) A copy of the request must be supplied to the appropriate district attorney general;

(iv) If, on review of the record, the court is of the opinion that the request is well-taken and the district attorney general has no objection, then the judge may order the release or placement without a hearing. Otherwise, the court shall schedule a hearing within fifteen (15) days of the court's receipt of the request; and

(v) At a hearing scheduled pursuant to subdivision (a)(9)(B)(iv), the department, the juvenile offender, the victim, and the state must be given an opportunity to be heard in support or opposition of a proposed

placement or release. Each party may subpoena witnesses to testify on an issue raised by the proposed placement or release. The court may ensure that orders pertaining to continued commitment, home placement, probation, or release as the court determines, are justified by the proof produced at the hearing;

(C) Within thirty (30) days of the child's twenty-fifth birthday, the court shall hold a hearing to determine the status of the child. At that hearing, the court shall make one (1) of the following determinations:

(i) That the child must be released on the child's twenty-fifth birthday with no other conditions;

(ii) That the child must be released and placed on probation pursuant to conditions in § 40-35-303; or

(iii) That the child must serve any remainder of the sentence as ordered by the court;

(D) The pilot program created by this subdivision (a)(9) must be implemented in a county in which an authorizing resolution is approved by the county legislative body by a two-thirds (2/3) majority and must be paid for by local or grant funding; and

(E) A county that approves the pilot program pursuant to subdivision (a)(9)(D) shall submit a yearly report to the chairs of the judiciary committee of the senate and the criminal justice committee of the house of representatives detailing the number of persons sentenced pursuant to the pilot program, the cost of implementing the program, and other relevant information with regard to the pilot program.

SECTION 4. Tennessee Code Annotated, Section 37-1-134(c), is amended by designating the existing language as subdivision (c)(1) and adding the following language as a new subdivision (c)(2):

If the court makes a determination required under subsection (a), but finds that transfer is not appropriate under subsection (b), then the state may submit a petition requesting that the matter be adjudicated under § 37-1-131(a)(9).

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 591*

House Bill No. 764

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 38-8-301, is amended by deleting the section and substituting:

As used in this part, unless the context otherwise requires:

- (1) "Committee" means a police advisory and review committee;
- (2) "Head of a law enforcement agency" means a chief of police of a municipal police force or a county sheriff, as applicable;
- (3) "Internal affairs unit" means a division of a local law enforcement agency that investigates allegations of misconduct by law enforcement officers employed by the agency;
- (4) "Law enforcement officer" means any person employed by any law enforcement agency of a local government entity, excluding a head of a law enforcement agency, who has a duty imposed by law to:
 - (A) Maintain public order;
 - (B) Make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses; and
 - (C) Investigate the commission or suspected commission of offenses;
- (5) "Local governing body" means the city council, city commission, county commission, metropolitan council, or board of mayor and aldermen of a city;



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(6) "Local government entity" means any city, town, municipality, county, including any county having a metropolitan form of government in this state;

(7) Local law enforcement agency" means:

(A) Within the territory of a municipality, the municipal police force;

(B) Within the territory of a county having a metropolitan form of government, the metropolitan police force; or

(C) Within the unincorporated territory of a county, the sheriff's office; and

(8) "Mayor" means the officer vested by either the city or county charter or general law with the executive powers of a local government entity.

SECTION 2. Tennessee Code Annotated, Section 38-8-312, is amended by deleting the section and substituting:

(a) It is the express intent of the general assembly that:

(1) Sections 38-8-310 — 38-8-312 apply to all local government entities; and

(2)

(A) This section preempts any existing law, ordinance, resolution, enactment, charter provision, or regulation by a local governing body concerning a police advisory and review committee, community oversight board, or other similar police oversight body; and

(B) A local governing body that created a police advisory and review committee, community oversight board, or other similar police oversight body prior to July 1, 2023, must comply with this section within ninety (90) days of July 1, 2023, or the police advisory and review committee, community oversight board, or other similar police oversight body is terminated.

(b)

(1) A local governing body is authorized, upon its own initiative and upon the adoption of an ordinance or resolution by a two-thirds (2/3) vote at two (2) separate meetings, to create a police advisory and review committee for the governing body.

(2) The purpose of the committee is to strengthen the relationship between citizens and the law enforcement agency; to ensure the timely, fair, and objective review of citizen complaints while protecting the individual rights of local law enforcement officers; and to make recommendations concerning citizen complaints to the head of a law enforcement agency.

(c)

(1) A committee consists of seven (7) members, each of whom must:

(A) Possess a reputation for fairness, integrity, and responsibility, and have demonstrated an active interest in public affairs and public service;

(B) Be a registered voter, as defined by § 2-1-104(a)(24), of the local government entity for which the committee is established; and

(C) Not be a current employee of a local governing body.

(2) A committee shall not restrict or otherwise limit membership based upon demographics, economic status, or employment history.

(d)

(1) Committee members are appointed by the mayor and confirmed by a majority vote of the local governing body, with initial appointments to be made for the following terms:

(A) Two (2) members of the committee are appointed for one-year terms;

(B) Two (2) members of the committee are appointed for two-year terms; and

(C) Three (3) members of the committee are appointed for three-year terms.

(2) No more than two (2) persons may be appointed from one (1) district or ward within a local government entity that is represented by a member of a local governing body.

(3) Following the initial appointments, all subsequent appointments, except to fill vacancies, are for three-year terms.

(4) Vacancies occurring other than through the expiration of terms are filled for the remainder of the term of the member being replaced.

(5) No committee member appointed pursuant to this subsection (d) may serve more than two (2) consecutive terms.

(6)

(A) Upon making the initial appointments to the committee, the mayor shall designate one (1) member of the committee to convene the first regular meeting of the committee.

(B) At its first regular meeting, the committee shall elect one (1) of its members to serve as chair, who serves a term of one (1) year or until a successor is elected. The chair may appoint other officers as the chair deems appropriate.

(e)

(1) Upon the recommendation of a majority of the committee members or by a finding of the mayor, the mayor, with a majority approval of the local governing body, may remove a member of the committee for official misconduct or neglect of duty including neglect of any duty in subsection (h).

(2) Members who are absent from three (3) consecutive regular committee meetings are considered to have vacated their positions on the committee and may be replaced.

(3) Members who cease to possess the qualifications for membership on the committee under subdivision (c)(1) are deemed to have forfeited their position on the committee.

(f) No person may receive compensation for services performed as an appointed member of the committee.

(g) Each person appointed to the committee shall complete the citizen's police academy course offered by the law enforcement agency and any other training deemed appropriate by the head of the law enforcement agency to educate citizens on law enforcement operations, practice, and training. The course must be completed within six (6) months of the date of a person's appointment to the committee. Members who fail to complete required courses are considered to have vacated their positions on the committee and may be replaced.

(h) Members of the committee shall:

(1) Respect an individual's, including a local law enforcement officer's, right to privacy, and maintain confidentiality of records;

(2) Maintain the confidentiality of internal affairs unit files; personnel files; and other files, records, or recordings received pertaining to their membership on the committee;

(3) Excuse themselves from participating in the review of a complaint in which they have a personal, professional, or financial conflict of interest; and

(4) Conduct themselves in a manner that ensures public confidence in the fairness, impartiality, and integrity of the committee, and refrain from making inappropriate or prejudicial comments regarding a matter being reviewed by the

committee or which may be reasonably expected to be reviewed by the committee.

(i) The attorney for the local government entity shall investigate an allegation of misconduct by a committee member or their staff and submit a written report of investigative findings to the mayor and local governing body.

(j)

(1) The mayor may select an executive director of the committee whose appointment is subject to the approval of a majority of the members of the committee.

(2) The executive director must:

(A) Possess a reputation for fairness, integrity, and responsibility and have demonstrated an active interest in public affairs and service;

(B) Be a registered voter of the local government entity for whom the executive director is employed;

(C) Not be a former employee of a law enforcement agency for the preceding twelve (12) months;

(D) Possess prior investigative experience, such as would be possessed by an attorney or a local law enforcement officer;

(E) Respect an individual's, including local law enforcement officer's, right to privacy, and maintain confidentiality of records;

(F) Maintain the confidentiality of all law enforcement records and files that the executive director or committee receives as a result of the committee's performance of its official duties;

(G) Not participate in the review of a complaint in which the executive director has a personal, professional, or financial conflict of interest;

(H) Conduct the duties of the office in a manner that maintains public confidence in the fairness, impartiality, and integrity of the committee, and refrain from making inappropriate or prejudicial comments regarding a matter being reviewed by the committee or which may be reasonably expected to be reviewed by the committee; and

(I) Comply with all rules applicable to other employees of the local government entity.

(3) No person may be approved as executive director under subdivision (j)(1) until the person has submitted to a:

(A) State criminal history background check and investigation to be conducted by the Tennessee bureau of investigation;

(B) National criminal history background check to be conducted by the federal bureau of investigation; and

(C) Lawfully administered test designed to detect the presence of a controlled substance or a controlled substance analogue.

(k)

(1) The executive director shall accept written, sworn complaints from members of the public regarding misconduct of local law enforcement officers and shall forward the complaints to the head of the internal affairs unit of the law enforcement agency within three (3) business days of their receipt. Upon receipt of a complaint, the unit shall immediately cause an investigation to be conducted of the allegations pursuant to the standard operating procedures of the law enforcement agency. The executive director may also accept unsworn or anonymous complaints and, if accepted, refer the complaints to the internal affairs unit for investigation.

(2) Upon notification by the head of the internal affairs unit that an investigation of an allegation of misconduct by a local law enforcement officer is

closed, whether the investigation was prompted by a complaint received by the executive director or otherwise, the executive director may review the unit file or the referral action form and determine if the investigation is complete.

(3)

(A) If the executive director determines that the investigation is complete in accordance with subdivision (k)(2), then the executive director shall file a report with the committee at its next regularly scheduled meeting that contains a copy of the internal affairs unit case, summary, or referral action form, and any documentation of disciplinary action pertaining to the case.

(B) If the executive director determines that the investigation is not complete, then the executive director shall notify the committee, at its next regularly scheduled meeting, that, in the executive director's opinion, additional investigation or additional time may be required for the investigation to be complete.

(l) At each of the regularly scheduled committee meetings, the executive director shall file a report with the committee that details the resolution of unsworn or anonymous complaints the executive director has been able to resolve without an investigation by the internal affairs unit.

(m) The executive director may request legal services and advice from the attorney for the local government entity that provides legal services to the local government for which the executive director is employed. If the attorney for the local government entity determines that the provision of legal services and advice would constitute a conflict of interest, then the attorney shall advise the executive director of the conflict and the executive director may request the attorney for the local government entity to provide other outside counsel for such legal services and advice.

(n) The executive director shall:

- (1) Ensure the proper recording of the minutes of the committee;
- (2) Maintain proper records and files pertaining to committee business;
- (3) Receive and record all exhibits, petitions, documents, or other materials presented to the committee in support of or in opposition to a question before the committee;
- (4) Comply with state law and local ordinances regarding notice of meetings;
- (5) Provide complainants with information about the complaint process;
- (6) Be a notary public;
- (7) Compile statistical information regarding complaints of misconduct by law enforcement officers as reported to the executive director from a member of the public, reported to the internal affairs unit where the investigation was reviewed by the executive director, or which were initiated by the executive director; and
- (8) Include the information compiled under subdivision (n)(7) in an annual report to the head of the law enforcement agency, the mayor, and the local governing body of the committee's activities.

(o)

(1) The committee shall review all reports submitted by the executive director under subdivision (k)(3)(A).

(2) If the executive director finds that an investigation is not complete under subdivision (k)(3)(B), then the committee may, by a majority vote of its members:

(A) Request the head of the law enforcement agency to conduct a further investigation of the incident, specifying that additional information is needed; or

(B) Direct the executive director to return the investigation to the internal affairs unit for additional investigation.

(3) The executive director shall report any additional investigative findings made to the committee, and upon completion of its inquiry, the committee shall report its written findings and conclusions to the head of the law enforcement agency, and the mayor.

(4)

(A) The committee shall have access to all public records it deems necessary to conduct its affairs in furtherance of its duties under this section, including law enforcement agency records. Such records include:

(i) Complaints and supporting documents provided by complainants;

(ii) Offense, incident, and arrest reports; and

(iii) Incident-related documents such as schedules, dispatch notes, dispatch tapes and transcriptions, citations, photographs, and records of interviews with complainants, employees, and witnesses.

(B) The committee shall not access nonpublic records, including employee medical records, or records that are otherwise exempt from disclosure under any state or federal law.

(5)

(A) Upon completion of the review of an internal affairs investigation, the committee may, subject to its own specific findings and conclusions, make recommendations to the head of the law enforcement agency for the improvement of law enforcement policies and activities and to benefit the community.

(B) All meetings shall be open to the public and the head of the law enforcement agency, or their designee, may attend and provide information and advice to, or accept the recommendations of, the committee, if any.

(6)

(A) The committee shall compile a comprehensive report of its activities at least once a year, with the report to contain statistics and summaries of citizen complaints, including a comparison of the committee's findings and conclusions with those of the internal affairs unit, along with the actions taken by the head of the law enforcement agency.

(B) The report compiled in subdivision (o)(6)(A) must be submitted to the:

(i) Executive director for inclusion in the executive director's annual report to the head of the law enforcement agency;

(ii) Mayor;

(iii) Local governing body;

(iv) Chairs of the civil justice and criminal justice committees of the house of representatives; and

(v) Chair of the judiciary committee of the senate.

(7)

(A) The committee may request legal services and advice from the attorney for the local government entity who provides legal services to the local government entity for which the committee serves. If the attorney for the local government entity determines that the provision of legal services and advice would constitute a conflict of interest, then the

attorney for the local government entity shall advise the committee of the conflict and the committee may request the attorney for the local government entity to provide other outside counsel for such legal services and advice.

(B) If the executive director is prohibited from participating in the review of a complaint pursuant to subdivision (j)(2)(G), then the committee may petition the mayor to appoint a temporary assistant to perform the duties of the executive director.

(p)

(1) The committee shall adopt rules of procedure for the transaction of committee business not inconsistent with this section.

(2) Four (4) members of the committee constitute a quorum. No meeting of the committee may commence or continue in the absence of a quorum, and a majority vote of those forming a quorum is required for action to be taken by the committee except where otherwise specified in this section.

(3) Regular meetings of the committee must be held no less than quarterly, on the first Wednesday of January, April, July, and October, or as the committee may otherwise elect. A scheduled meeting may be rescheduled at the preceding regular meeting. The chairman and three (3) members of the committee may call a special meeting of the committee upon at least five (5) days' notice.

(4) Committee meetings and records must be open to the public in accordance with title 8, chapter 44, part 1, and title 10, chapter 7. The committee shall provide an opportunity for public comment about an investigation being reviewed by the committee pursuant to rules established by the committee.

(5)

(A) A police advisory and review committee does not have the power to issue subpoenas for documents or to compel witness testimony.

(B) This subdivision (p)(5) does not prohibit the issuance of a subpoena by a local governing body as otherwise provided by law.

(C) A subpoena issued by a local governing body, on behalf of a police advisory and review committee, must:

(i) Be issued pursuant to majority vote of the local governing body;

(ii) Not be issued in the form of a blanket authorization, but must specify each document to be produced; and

(iii) Not be issued for documents that are confidential under state or federal law.

(D) Notwithstanding subdivision (p)(4), any document provided to a committee that is confidential under state or federal law must be treated as confidential and must not be released to the public.

(q)

(1) The committee or its staff shall not review an investigation:

(A) Concerning an incident that occurred prior to January 1, 2023;

(B) Prior to the closure of an investigation by the internal affairs unit or of a criminal investigation;

(C) While the complainant, the officer complained about, or a witness is actively engaged in pursuing a remedy provided by the rules and regulations of the civil service merit board of the local government entity; or

(D) If the complainant has initiated, threatened, or given notice of the intent to initiate litigation against the local government entity or its employees.

(2) The committee shall not direct the head of the law enforcement agency to alter or impose disciplinary action against an employee of the local law enforcement agency.

SECTION 3. Tennessee Code Annotated, Section 38-8-309, is amended by deleting the section and substituting the following:

Sections 38-8-301 – 38-8-308 of this part shall apply only to those agencies that now provide a property interest in employment for their police officers and that have no other established procedures for dealing with the dismissal, demotion, suspension or transfer for punitive reasons of police officers.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1056*

House Bill No. 1459

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 2, is amended by adding the following as a new section:

39-16-202.

(a)

(1) A warden or chief administrative officer employed by a penal institution, as defined in § 39-16-601, or the warden or administrative officer's designee, who knows that an offense enumerated in subdivision (a)(2) has occurred within the penal institution shall report the offense to the district attorney general for the judicial district in which the penal institution is located within five (5) business days of becoming aware of the offense being committed.

(2) Subdivision (a)(1) applies to the following offenses:

- (A) Aggravated assault, as defined in § 39-13-102;
- (B) First degree murder, as defined in § 39-13-202;
- (C) Second degree murder, as defined in § 39-13-210;
- (D) Voluntary manslaughter, as defined in § 39-13-211;
- (E) Criminally negligent homicide, as defined in § 39-13-212;
- (F) Aggravated rape, as defined in § 39-13-502;
- (G) Rape, as defined in § 39-13-503;
- (H) Aggravated sexual battery, as defined in § 39-13-504;
- (I) Sexual battery, as defined in § 39-13-505; and



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(J) Indecent exposure, as defined in § 39-13-511(c).

(b) A violation of this section is a Class A misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 40-35-115(b), is amended by adding the following as a new subdivision:

(9) The defendant was incarcerated at the time of the offense and is convicted of an offense enumerated in § 39-16-202(a)(2).

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 806*

House Bill No. 1476

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 41-21-236(a), is amended by adding the following as a new subdivision:

(8) The criteria established by the department for awarding credits for good institutional behavior pursuant to this subsection (a) must include a requirement that the inmate complete a department-approved validated risk and needs assessment and participate in programming or employment in order for the inmate to be eligible to earn sentence credits for good institutional behavior. The department is responsible for administering the risk and needs assessment required by this subdivision (a)(8) to an inmate, regardless of where the inmate is housed.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 418*

House Bill No. 1022

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-11-139, is amended by adding the following new subsections:

(d) If a court issues a bench warrant due to a defendant's failure to appear on a felony or a Class A or Class B misdemeanor or if a defendant is charged with a failure to appear, then the defendant shall be placed on any available state or federal list or database as a fugitive from justice, without limitation, within ten (10) days of the defendant's failure to appear. A surety is not liable for any undertaking if the defendant has not been placed on such a database within the time required by law.

(e) The surety is only responsible for costs in accordance with § 40-11-201.

SECTION 2. Tennessee Code Annotated, Section 40-11-142(a), is amended by deleting the subsection and substituting instead the following language:

(a) After an officer arrests a person, but prior to the determination of bail for the arrest offense by the judge or magistrate, the arresting officer or the officer's agency must exercise due diligence in determining the existence of any prior arrest or conviction. The results of this investigation must be made a part of the person's case file.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1416

House Bill No. 1021*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 29-13-108, is amended by deleting subsection (a) and substituting:

(a) A claim for compensation must be filed not later than two (2) years after the occurrence of the crime upon which the claim is based; two (2) years after the death of the victim; or two (2) years after any mental or physical manifestation or injury is diagnosed as a result of an act committed against a minor that would constitute a criminal offense under §§ 39-13-502 – 39-13-505, 39-13-522, 39-15-302, 39-17-902, and 39-17-1003 – 39-17-1005, or an attempt, conspiracy, or solicitation to commit such offenses; provided, that upon good cause shown, the time period for filing a claim may be extended either before or after the expiration of the filing period. A claim cannot be filed until the crime upon which the claim is based has been reported to the proper authorities.

SECTION 2. Tennessee Code Annotated, Section 29-13-108(b), is amended by deleting "the police" and substituting "law enforcement".

SECTION 3. Tennessee Code Annotated, Section 29-13-108(g), is amended by deleting "one-year" and substituting "two-year".

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.



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House Criminal Justice Subcommittee Am. # 1

Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1349

House Bill No. 1444*

by inserting the following new section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION _____. Tennessee Code Annotated, Section 55-10-402, is amended by deleting subsection (g).



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Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1349

House Bill No. 1444*

by adding the following as a new, appropriately designated section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 39-14-507, is amended by deleting subsection (b) and substituting:

(b) Notwithstanding another law to the contrary, the operator of a motor vehicle with an open bed or that is towing a trailer must ensure that no hard debris, including gravel, rocks, or dried mud, falls from the bed or trailer, or from equipment transported in the bed or on the trailer, onto the roadway while the motor vehicle is being operated.

(c) A violation of this section is a Class C misdemeanor. In addition to the penalties for a Class C misdemeanor, the court may impose any of the penalties set forth in § 39-14-503(d).

AND FURTHER AMEND by deleting the language "upon becoming a law" in the effective date section and substituting instead the language "July 1, 2023".



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Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 1349

House Bill No. 1444*

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

() Notwithstanding this section to the contrary, there shall be no release eligibility for a person committing the offense of vehicular homicide, as defined in § 39-13-213, and leaving the scene of the accident, as defined in § 55-10-101(a), on or after July 1, 2023. The person shall serve one hundred percent (100%) of the sentence imposed by the court undiminished by any sentence reduction credits the person may be eligible for or earn. The person shall be permitted to earn any credits for which the person is eligible, and the credits may be used for the purpose of increased privileges, reduced security classification, or for a purpose other than the reduction of the sentence imposed by the court.



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Amendment No. _____

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 195*

House Bill No. 472

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 39-14-202(a), is amended by deleting subdivision (2) and substituting:

(2)

(A) Fails unreasonably to provide necessary food, water, or care for an animal in the person's custody; or

(B)

(i) Fails unreasonably to provide access to necessary shelter for an animal other than a dog in the person's custody; or

(ii)

(a) Unless exempted under subdivision (a)(2)(B)(ii)(b), fails unreasonably to provide access to shelter in a structure that meets the following requirements for a dog in the person's custody that resides primarily outdoors:

(1) The structure is constructed of sound and substantial material, is sufficient to protect the dog from inclement weather, and is of a size appropriate to allow the dog to maintain normal body temperature;

(2) The structure must have a roof and be enclosed on all sides with an entrance of adequate size for the dog to enter, and have dimensions that allow the dog,



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while in the shelter, to stand erect, sit, turn around, and lie down in a normal position;

(3) The structure provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the dog to lie on in a normal manner and that can be maintained in a sanitary manner;

(4) From March through October, the structure is properly shaded, and from November through February, when necessary to protect the dog from cold and promote the retention of body heat, the shelter is fitted with a sufficient quantity of bedding material; and

(5) The structure or structures must be of a sufficient size or number to provide shelter to each dog present at the same time;

(b) The requirements in subdivision (a)(2)(B)(ii)(a) do not apply when a dog is actively engaged in lawful hunting; police, military, or patrol work; detection work; search-and-rescue; herding or livestock guarding; trials and other lawful competitions; service and assistance work; other working, sporting, and competitive functions; or while actively training for these purposes and functions;

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 13*

House Bill No. 26

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and substituting:

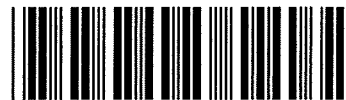
SECTION 1. Tennessee Code Annotated, Section 40-24-101, is amended by adding the following as a new subsection (b) and redesignating the current subsection (b) accordingly:

(b) Upon request by an individual on a payment or installment plan with the court clerk, the court clerk shall not require an individual to pay any outstanding court-assessed fines, fees, taxes, or costs arising from a criminal proceeding during the one-hundred-eighty-day period following the individual's release from a term of imprisonment sentence of one (1) year or more for a felony offense. If otherwise unavailable to the court, the individual shall provide documentation of the individual's release date when making this request. This subsection (b) does not apply to restitution owed to a victim. This subsection (b) does not apply to fines, fees, taxes, or costs that have been sent to a collection agency pursuant to § 40-24-105(d).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1241

House Bill No. 1256*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 40-29-202, is amended by deleting subdivision (b)(2).

SECTION 2. Tennessee Code Annotated, Section 40-29-202, is amended by deleting subsection (c).

SECTION 3. Tennessee Code Annotated, Section 40-29-204, is amended by deleting "Notwithstanding this part, the following persons shall never be eligible to register and vote in this state" and substituting:

Notwithstanding this part, the following persons are eligible to register and vote in this state if at least three (3) years have passed since the person's release date, and the person has met the other qualifications to restore the right of suffrage

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.



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